IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF OCTOBER

TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 800 of 2004

Between:

G. Ravinder Reddy, S.G.T.Assistant, S.A.Bharathiya Vidyaniketan High School, Mehabubnagar, Mehabubnagar District.

..... PETITIONER

AND

1 The District Educational Officer, Mehabubnagar, Mehabubnagar District.
2 The Secretary, Govt. of A.P., Education Department, Secretariat, Hyderabad.
3 The Regional Joint Director of School Education, Hyderabad, A.P.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly in the nature of writ of mandamus declaring the action of the respondents issuing approval orders as per G.O.Ms.No.398 dated 31.10.1994 with effect from 11.3.1997 through RC.No.3613/B2/96 dated 11.3.1997 of Regional Joint Director of School Education instead of with effect from 1.4.1994 is illegal, arbitrary and violation of G.Os and Article 14 of the Indian Constitution consequently direct the respondents to absorb or approve the promotion of the petitioner with effect from 1.4.1994 as per G.O.Ms.No.398 dated 31.10.1994 by paying arrears of salary from such date.

Counsel for the Petitioner:MR.KOONA REDDY ANJI REDDY

Counsel for the Respondent Nos 1 to 3: GP FOR SCHOOL EDUCATION

The Court made the following :

O R D E R:

The facts of the case in brief are that on 01.04.1994 the petitioner joined as S.G.B.T.School Assistant (Maths) in Mehabubnagar. The said post was admitted to grant-in-aid as per G.O.Ms.No.398, dated 31.10.1994 of the Government, with effect from 01.04.1994. There after, the Special Officer issued proceedings in Rc.No.BVN/283/97, dated 14.03.1996 and promoted the petitioner as School Assistant (Mathematics) in the same school, which was approved by the Regional Joint Director of School Education, Hyderabad, through proceedings in R.C.No.3613/B2/96, dated 11.03.1997. But in the proceedings the post of the petitioner was approved with effect from 11.3.1997 instead of 01.04.1994. As the respondents are not approving the post of the petitioner to grant-in-aid with effect from 01.04.1994 and are trying to absorb other teachers working in Bharathiya Vidyaniketan High School into the Grant-in-aid posts sanctioned by the Government as per G.O.Ms.No.398, dated 31.10.1994 with effect from 01.04.1994, the petitioner filed an appeal before the Director of School Education, Andhra Pradesh, Hyderabad, for approving the post of the petitioner to grant-in-aid from 01.04.1994. Against the orders of the Director of School Education, dated 11.04.2000, the petitioner filed a representation dated 17.03.2003 before the 2nd respondent-Secretary, Government of A.p., School Education, seeking to approve the post of the petitioner to grant-in-aid with effect from 1.4.1994, but not from 11.03.1997. Pending

further orders in the representation, this writ petition is filed.

As the representation dated 17.03.2003 is still pending before the 2nd respondent, I think that it just and proper to direct the 2nd respondent to consider and dispose of the said representation of the petitioner, dated 17.03.2003 and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of as indicated above. No costs.

08.10.2004.

tjs

ASSISTANT REGISTRAR

// TRUE COPY //

1 The District Educational Officer, Mehabubnagar, Mehabubnagar District.
2 The Secretary, Govt. of A.P., Education Department, Secretariat, Hyderabad.
3 The Regional Joint Director of School Education, Hyderabad, A.P.

4 2CCs to the G.P. for School Education, High Court of A.P., Hyderabad.(OUT)

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